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7635146982 MEDTRONIC

NO. 6703 P. 1



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P-8969.00

**To:** Examiner Oropeza  
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**Date:** July 21, 2005  
**Pages including this  
cover page:** 3

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**Comments:** Applicants: Hill et al.  
SN: 10/039,307  
Filed: October 26, 2001  
For: METHOD AND APPARATUS FOR ELECTRICALLY  
STIMULATING THE NERVOUS SYSTEM TO IMPROVE VENTRICULAR  
DYSFUNCTION, HEART FAILURE, AND OTHER CARDIAC CONDITIONS  
DOCKET: P-8969.00  
Group Art Unit: 3762

Request for Continued Examination (RCE) Transmittal

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7635146982 MEDTRONIC

NO. 6703 P. 2

DOCKET NO.: P8969.00

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**RCE TRANSMITTAL**

In re Application of: Michael R.S. Hill et al.

For: METHOD AND APPARATUS FOR ELECTRICALLY STIMULATING THE NERVOUS SYSTEM TO  
IMPROVE VENTRICULAR DYSFUNCTION, HEART FAILURE, AND OTHER CARDIAC  
CONDITIONS

Serial No.:

10/039,307

Filed: October 26, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Transmittal and the paper(s), as  
described herein are being sent via facsimile No. (703) 872-9306, addressed to the Commissioner  
for Patents, Mail Stop RCE, on this 21<sup>st</sup> day of July, 2005.

Molly Chlebeck

Signature

MOLLY CHLEBECK

Printed Name

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- Request for RCE Transmittal
- Please charge Deposit Account No. 13-2546 in the amount of \$790.00 for the RCE fee as required under 37 CFR 1.17(e).
- Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

21 July 05

Paul H. McDowell

Paul H. McDowell, Reg. No. 34,873  
Telephone: (763) 514-3351  
Customer No. 27581

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Request  
FOR**

**Continued Examination (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of an utility or plant  
application  
Filed on or after June 8, 1995.

See The American Inventor's Protection Act of 1999 (AIPA).

Application Number	10/039,307
Filing Date	October 26, 2001
First Named Inventor	Michael R.S. Hill et al.
Group Art Unit	3762
Examiner Name	F. Oropeza
Attorney Docket Number	P8969.00

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 21, 2005  
(Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_

b.  Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

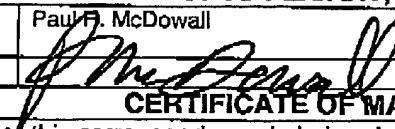
**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, as well as any deficiencies, or credit any overpayments, to Deposit Account No. 13-2546
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$\_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Paul F. McDowell	Registration (Attorney/Agent)	No. 34873
Signature		Date	<u>21 July '05</u>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Molly Chlebeck	Date	<u>July 21, 2005</u>
Signature		Date	<u>July 21, 2005</u>

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